

JAN 25 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *J. C. Turk*
DEPUTY CLERK

JIMMIE L. REAVES,
Plaintiff,

v.

CONTRACTING ENTERPRISES, INC.,)
and APPALACHIAN POWER)
COMPANY,)
Defendants.)

Civil Action No. 7:06CV00637

ORDER

By: Hon. James C. Turk
Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ADJUDGED AND ORDERED

that defendants' motion to dismiss (Dkt. No. 11) is **GRANTED**.

The plaintiff is advised that he may appeal this decision pursuant to Fed. R. App. P. 3 and 4, by filing a notice of appeal with the court within thirty (30) days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of Court is directed to strike this matter from the active docket of the court and to send certified copies of this Order and the accompanying Memorandum Opinion to all parties of record.

ENTER: This 25th day of January, 2007.

James C. Turk

Hon. James C. Turk
Senior United States District Judge